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# Foreword

## FOREWORD

The purpose of this environmental impact statement (EIS) is to provide information on potential environmental impacts that could result from a Proposed Action to construct, operate and monitor, and eventually close a geologic repository for the disposal of spent nuclear fuel and high-level radioactive waste at the Yucca Mountain site. The potential repository would be located in Nye County, Nevada. The EIS also provides information on the potential environmental impacts from an alternative referred to as the No-Action Alternative, under which there would be no development of a geologic repository at Yucca Mountain.

### U.S. Department of Energy Actions

The Nuclear Waste Policy Act, enacted by Congress in 1982 and amended in 1987, establishes a process leading to a decision by the Secretary of Energy on whether to recommend that the President approve Yucca Mountain for development of a geologic repository. As part of this process, the Secretary of Energy is to:

- Undertake site characterization activities at Yucca Mountain to provide information and data required to evaluate the site.
- Prepare an EIS.
- Decide whether to recommend approval of the development of a geologic repository at Yucca Mountain to the President.

The Nuclear Waste Policy Act, as amended (the EIS refers to the amended Act as the NWPA), also requires the U.S. Department of Energy (DOE) to hold hearings to provide the public in the vicinity of Yucca Mountain with opportunities to comment on the Secretary's possible recommendation of the Yucca Mountain site to the President. The hearings would be separate from the public hearings on the Draft EIS required under the National Environmental Policy Act. If, after completing the hearings and site characterization activities, the Secretary decides to recommend that the President approve the site, the Secretary will notify the Governor and legislature of the State of Nevada accordingly. No sooner than 30 days after the notification, the Secretary may submit the recommendation to the President to approve the site for development of a repository.

If the Secretary recommends the Yucca Mountain site to the President, a comprehensive statement of the basis for the recommendation, including the Final EIS, will accompany the recommendation. This Draft EIS has been prepared now so that DOE can consider the Final EIS, including the public input on the Draft EIS, in making a decision on whether to recommend the site to the President.

### Presidential Recommendation and Congressional Action

If, after a recommendation by the Secretary, the President considers the site qualified for application to the U.S. Nuclear Regulatory Commission for a construction authorization, the President will submit a recommendation of the site to Congress. The Governor or legislature of Nevada may object to the site by submitting a notice of disapproval to Congress within 60 days of the President's action. If neither the Governor nor the legislature submits a notice within the 60-day period, the site designation would become effective without further action by the President or Congress. If, however, the Governor or the legislature did submit such a notice, the site would be disapproved unless, during the first 90 days of continuous session of Congress after the notice of disapproval, Congress passed a joint resolution of repository siting approval and the President signed it into law.

## **Actions To Be Taken After Site Designation**

Once a site designation became effective, the Secretary of Energy would submit to the Nuclear Regulatory Commission a License Application, based on a particular facility design, for a construction authorization within 90 days. The NWPA requires the Commission to adopt the Final EIS to the extent practicable as part of the Commission's decisionmaking on the License Application.

## **Decisions Related to Potential Environmental Impacts Considered in the EIS**

This EIS analyzes a Proposed Action to construct, operate and monitor, and eventually close a geologic repository for the disposal of spent nuclear fuel and high-level radioactive waste at Yucca Mountain. The EIS also analyzes a No-Action Alternative, under which DOE would not build a repository at the Yucca Mountain site, and spent nuclear fuel and high-level radioactive waste would remain at 72 commercial and 5 DOE sites across the United States. The No-Action Alternative is included in the EIS to provide a baseline for comparison with the Proposed Action. DOE has developed the information about the potential environmental impacts that could result from either the Proposed Action or the No-Action Alternative to inform the Secretary of Energy's determination whether to recommend Yucca Mountain as the site of this Nation's first monitored geologic repository for spent nuclear fuel and high-level radioactive waste. In making that determination, the Secretary would consider not only the potential environmental impacts identified in this EIS, but also other factors as provided in the NWPA.

As part of the Proposed Action, the EIS analyzes the potential impacts of transporting spent nuclear fuel and high-level radioactive waste to the Yucca Mountain site from 77 sites across the United States. This analysis includes information on such matters as the comparative impacts of truck and rail transportation, alternative intermodal (rail to truck) transfer station locations, associated heavy-haul truck routes, and alternative rail transport corridors in Nevada. Although it is uncertain at this time when DOE would make any transportation-related decisions, DOE believes that the EIS provides the information necessary to make decisions regarding the basic approaches (for example, mostly rail or mostly truck shipments), as well as the choice among alternative transportation corridors. However, follow-on implementing decisions, such as selection of a specific rail alignment within a corridor, or the specific location of an intermodal transfer station or the need to upgrade the associated heavy-haul routes, would require additional field surveys, state and local government consultations, environmental and engineering analyses, and National Environmental Policy Act reviews.

